

## **REMARKS**

Claims 1-28 are pending. In the Office Action, the Examiner stated that claim 5, as filed, contained allowable subject matter. Claim 5 has been rewritten in independent form including all the limitations of its base claim and any intervening claims. In addition, each of the independent claims, 1, 9 and 19, as filed, has been amended to include the limitations stated in claim 5, as filed. No new matter was added. Accordingly, Applicants respectfully submit that the present application is in condition for allowance.

### **I. Allowable Subject Matter**

In the Office Action, the Examiner states that claims 5 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 5 has been rewritten as an independent claim including all the limitations stated in its base claim (claim 1) and intervening claims (claims 2-4). No new matter was added.

Accordingly, Applicants respectfully submit that claim 5 is in condition for allowance for reasons previously determined by the Examiner.

### **II. Claim Rejections - 35 USC §102(b)**

In the Office Action, the Examiner rejects claims 1-4, 6, 7, 9-17 and 19-28 under 35 USC §102(b) as being anticipated by Patent Application Publication No. US 2001/0015123 A1 of Nishitani et al.

Independent claims 1, 9 and 19 of the present application have each been amended to recite the limitations of claim 5, as filed. No new matter was added.

The Nishitani patent fails to disclose the limitations stated in claim 5 of the present application, as filed. Thus, for the same reasons that the Examiner did not apply the above

referenced §102(b) rejection to claim 5, as filed, Applicants respectfully submit that independent claims 1, 9 and 19, as amended, are not anticipated by the Nishitani publication.

Accordingly, Applicants respectfully request reconsideration and removal of the §102(b) rejection of claims 1-4, 6, 7, 9-17 and 19-28.

### **III. Claim Rejections - 35 USC §103(a)**

In the Office Action, the Examiner rejects claim 8 under 35 USC §103(a) as being obvious over Patent Application Publication No. US 2001/0015123 A1 of Nishitani et al.

Claim 8 depends indirectly from base independent claim 1, which has been amended to recite the limitations stated in claim 5, as filed. The Nishitani patent fails to teach, suggest or disclose the limitations stated in claim 5 of the present application, as filed. Thus, for the same reasons that the Examiner did not apply the above referenced §103(a) rejection to claim 5, as filed, Applicants respectfully submit that claim 8 is patentable over the Nishitani publication.

Accordingly, Applicants respectfully request reconsideration and removal of the §103(a) rejection of claim 8.

### **Conclusion**

In view of the above amendments and remarks, Applicants respectfully submit that the rejections have been overcome and that the present application is in condition for allowance. Thus, a favorable action on the merits is therefore requested.

Please charge any deficiency or credit any overpayment for entering this Amendment  
to our deposit account no. 08-3040.

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